



State of Washington
Application for a Water Right

RECEIVED

AUG 03 2001

DEPT OF ECOLOGY

For Ecology Use

Fee Paid 10

Date 3 Aug 01

Please follow the attached instructions to avoid unnecessary delays.

Section 1. APPLICANT - PERSON, ORGANIZATION, OR WATER SYSTEM

Name Kenneth Naff Home Tel: (360) 848-6394
Mailing Address 16707 Blodgett Road Work Tel: (360) 435-8957
City Mount Vernon State WA Zip+4 98274 + FAX: (360) 403-4235

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

☒ Same as above

Name _____ Home Tel: (____) _____ - _____
Mailing Address _____ Work Tel: (____) _____ - _____
City _____ State _____ Zip+4 _____ + FAX: (____) _____ - _____
Relationship to applicant _____

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than .09 (☐ gallons per minute or ☒ cubic feet per second) from a ☒ surface water source or ☐ ground water source (check only one) for the purpose(s) of Domestic water supply. ATTACH A "LEGAL" DESCRIPTION OF THE PLACE OF USE. (See instructions.) NOTE: A tax parcel number or a plat number is not sufficient.

Estimate a maximum annual quantity to be used in acre-foot per year: .5

☐ Check if the water use is proposed for a short-term project. Indicate the period of time that the water will be needed:

From ____/____/____ to ____/____/____

Section 4. WATER SOURCE

If SURFACE WATER	If GROUNDWATER
Name the water source and indicate if stream, spring, lake, etc. If unnamed, write "unnamed spring," "unnamed stream," etc.: <u>Unnamed Spring</u>	A permit is desired for _____ well(s).
Number of diversions: _____	
Source flows into (name of body of water): <u>Skagit River</u>	Size & depth of well(s):

LOCATION

Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner:

1/4 of	1/4 of	Section	Township	Range (E/W)	County	If location of source is platted, complete below:		
						Lot	Block	Subdivision
<u>NE</u>	<u>SW</u>	<u>29</u>	<u>34N</u>	<u>4E</u>	<u>SKAGIT</u>			
<u>1/4</u>	<u>1/4</u>							

For Ecology Use	Date Received: _____	Priority Date: _____
SEPA: Exempt/Not Exempt	FERC License # _____	Dept. Of Health # _____
Date Accepted As Complete	By _____	Date Returned _____ By _____ WRIA: _____

Section 5. GENERAL WATER SYSTEM INFORMATION

- A. Name of system, if named: _____
- B. Briefly describe your proposed water system. (See instructions.)
- C. Do you already have any water rights or claims associated with this property or system? ☒ YES ☐ NO
PROVIDE DOCUMENTATION.

Section 6. DOMESTIC/PUBLIC WATER SUPPLY SYSTEM INFORMATION (Completed for all domestic/public supply uses.)

- A. Number of "connections" requested: 1 Type of connection Homes
(Homes, Apartment, Recreational, etc.)
- B. Are you within the area of an approved water system? ☒ YES ☐ NO
If yes, explain why you are unable to connect to the system. *Note: Regional water systems are identified by your County Health Department.*

Complete C. and D. only if the proposed water system will have fifteen or more connections.

- C. Do you have a current water system plan approved by the Washington State Department of Health? ☐ YES ☐ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.
- D. Do you have an approved conservation plan? ☐ YES ☐ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.

Section 7. IRRIGATION/AGRICULTURAL/FARM INFORMATION (Completed for all irrigation and agriculture uses.)

- A. Total number of acres to be irrigated: _____
- B. List total number of acres for other specified agricultural uses:
- | | |
|-----------|-------------|
| Use _____ | Acres _____ |
| Use _____ | Acres _____ |
| Use _____ | Acres _____ |
- C. Total number of acres to be covered by this application: _____
- D. Family Farm Act (Initiative Measure Number 59, November 3, 1977)
Add up the acreage in which you have a controlling interest, including only:
- ‡ Acreage irrigated under water rights acquired after December 8, 1977;
 - ‡ Acreage proposed to be irrigated under this application;
 - ‡ Acreage proposed to be irrigated under other pending application(s).
1. Is the combined acreage greater than 2000 acres? ☐ YES ☐ NO
2. Do you have a controlling interest in a Family Farm Development Permit? ☐ YES ☐ NO
If yes, enter permit no.: _____
- E. Farm uses:
- Stockwater - Total # of animals _____ Animal Type _____ (If dairy cattle, see below)
- Dairy - # Milking _____ # Non-milking _____

Section 8. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water?

☒ YES ☐ NO

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point, and some portion of the storage will be above grade, you must also apply for a reservoir permit. You can get a reservoir permit application from the Department of Ecology.

Section 9. DRIVING DIRECTIONS

Provide detailed driving instructions to the project site.

North on I-5 to Anderson Road
exit 225 - East to Blodgett Rd - North on Blodgett 4 1/2 mile - Residence
served by spring is on East side of Blodgett at 16707 - Spring is on
West side of Blodgett

Section 10. REQUIRED MAP

A. Attach a map of the project. (See instructions.)

Section 11. PROPERTY OWNERSHIP

A. Does the applicant own the land on which the water will be used?

☒ YES ☐ NO

If no, explain the applicant's interest in the place of use and provide the name(s) and address(es) of the owner(s):

B. Does the applicant own the land on which the water source is located?

☐ YES ☒ NO

If no, submit a copy of agreement:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though I may have been assisted in the preparation of the above application by the employees of the Department of Ecology, all responsibility for the accuracy of the information rests with me.

Kenneth A. A.
Applicant (or authorized representative)

07-10-01
Date

Same
Landowner for place of use (if same as applicant, write "same")

07-10-01
Date

Use this page to continue your answers to any questions on the application. Please indicate section number before answer.

We are returning your application for the following reason(s):	
Examination fee was not enclosed	APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98509-5128
Section number(s) is/are incomplete	APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE
Explanation:	
Please provide the additional information requested above and return your application by _____ (date).	

Ecology staff _____ Date _____

Ecology is an Equal Opportunity and Affirmative Action employer.

To receive this document in alternative format, contact the Water Resources Program at (360) 407-6604 (Voice) or (360) 407-6006 (TDD).

Beginning at the Southeast corner of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 29, Township 34 North, Range 4 East of W. M. thence North 16 rods, thence West 10 rods; thence South 16 rods; thence East 10 rods to place of beginning, containing one acre.

which said water spring is now specifically marked by a pipe being driven into and tapping the same.

This deed as to this water right coveys and is intended to convey to second party the absolute and complete right to the flow of water from said spring, and first parties covenant that they will not directly or indirectly themselves or by any grant to third parties in any manner do anything to interrupt the flow of water from said spring. It is further the intention of this instrument to sever the water right to this particular spring from the land herein described.

There is also granted herewith an easement by first parties to second party and his heirs and assigns to run a pipe line from said pipe tapping said spring across first parties' property hereinabove described, for the purpose of carrying water from said spring to second party's property, the same being situated in Skagit County, Washington, and adjoining the property of first parties.

IT IS UNDERSTOOD AND AGREED, That said pipe line shall be at a minimum depth of two feet. In connection with the establishment of this pipe line second party is hereby given the right (the same being a part and portion of this easement) to build, establish and maintain a small pump house to house an electric motor and pump for the pumping of water from the spring herein described, to second party's property.

Second party shall have the right to go upon first parties' property to repair, replace and inspect the well, pipe line and pump.

It is the intention of first and second parties that this easement shall make first parties' property servient to second party's property, which shall be the dominant tenement.

The easement herein granted shall be perpetual and, together with the water rights herein conveyed, shall be considered as appurtenant to second party's property.

IN WITNESS WHEREOF, first parties have hereunto set their hands and seals the day and year in this instrument first above written.

Floyd J. Vandenburg

Helen Vandenburg

STATE OF WASHINGTON)
County of Skagit) ss

THIS IS TO CERTIFY, That on this 29 day of October, A. D. 1935, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared FLOYD J. VANDENBURG and HELEN VANDENBURG, husband and wife, to me known to be the individuals described in and who executed the within and foregoing DEED AND EASEMENT, and acknowledged to me that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate first above written.

(SEAL) Dave Hammack, Notary Public
State of Washington
Commission expires Nov. 29 1936

Dave Hammack, Notary Public in and for
the State of Washington, residing at
Mount Vernon, said State.

filed for record at the request of P. W. Richards, November 4, 1935, at 3:08 o'clock P. M.

C. P. Kloke, County Auditor

By *Alvina Crockett* Deputy

shall not at any time ever be sold, leased to, or occupied by any person not of the Caucasian race. Said property shall only be used for residence purposes and shall not at any time be used by any person to carry on any mercantile or other business for gain or profit, except that the owner may build and maintain cottages and houses for rent.

No open toilets shall be permitted, and only septic tanks, chemical closets or sewerage system disposal or residential sewerage shall be permitted on said property.

All chimneys and flues built and constructed upon said property shall be built of either brick or stone.

Upon the failure of the grantee his heirs or assigns to comply with the conditions and covenants herein contained, the grantor at its option may upon reasonable notice to the owner cancel this conveyance, and said property appurtenances shall immediately revert to the grantor.

Dated this 12th day of December, 1934.

I. E. \$0.50

Similk Beach Development Company

Attest: Ira L. Barnett, Secretary

By R. D. Turner, President

State of Washington;

(SEAL) Similk Beach Development Co.

County of Skagit ;

Mount Vernon, Washington
Incorporated 1927.

On this 13 day of Dec. 1934, before me personally appeared, R.D. Turner and Ira L. Barnett, to me known to be the President and Secretary of the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL) Grover Larson, Notary Public
State of Washington
Commission expires Apr. 24, 1937

Grover Larson, Notary Public in and for
the State of Washington, residing at
Mount Vernon.

Filed for record at the request of Anna Harmon, November 4, 1935, at 3:00 o'clock

P. M.

C. P. Kloeke, County Auditor
By *Alvina Crogtad* Deputy

#273787

DEED AND EASEMENT.

THIS DEED AND EASEMENT, Made and entered into, this 29th day of October, A. D. 1935, by and between FLOYD J. VANDENBURG and HELEN VANDENBURG, husband and wife, hereinafter referred to as first parties, and P. V. RICHARDS, a married man whose wife's name is ANNE RICHARDS, hereinafter referred to as the second party,

WITNESSETH, That firstparties for and in consideration of the sum of Twenty Dollars (\$20.00) in hand paid by second party, receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey to the second party and to his heirs and assigns, that certain water spring situated upon the following described real estate situated in Skagit County, Washington, to-wit:

STATE OF WASHINGTON } ss
COUNTY OF SKAGIT

I, Auditor of Skagit County, State of Washington, do hereby
certify that the foregoing copy of Deed & Easement is a true and
literal exemplification and copy from the record, as the same appears in
Volume 168 of Deeds of Page 232 under
Number 273787 of Records of Skagit County, Washington,

IN TESTIMONY WHEREOF, I hereunto set my hand and seal of my
office this 27 day of December 2000
Norma Brummett By Cheryl Janis
Auditor Deputy

DEED AND EASEMENT

THIS DEED AND EASEMENT, Made and entered into, this 29th day of October, A. D. 1935, by and between FLOYD J. VANDENBURG and HELEN VANDENBURG, husband and wife, hereinafter referred to as first parties, and P. W. RICHARDS, a married man whose wife's name is ANNE RICHARDS, hereinafter referred to as the second party,

WITNESSETH, That first parties for and in consideration of the sum of Twenty Dollars (\$20.00) in hand paid by second party, receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey to the second party and to his heirs and assigns, that certain water spring situated upon the following described real estate situated in Skagit County, Washington, to-wit:

Beginning at the Southeast corner of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 29, Township 34 North, Range 4 East of W. M. thence North 16 rods, thence West 10 rods; thence South 16 rods; thence East 10 rods to place of beginning, containing one acre.

which said water spring is now specifically marked by a pipe being driven into and tapping the same.

This deed as to this water right conveys and is intended to convey to second party the absolute and complete right to the flow of water from said spring, and first parties covenant that they will not directly or indirectly themselves or by any grant to third parties in any manner do anything to interrupt the flow of water from said spring. It is further the intention of this instrument to sever the water right to this particular spring from the land herein described.

There is also granted herewith an easement by first parties to second party and his heirs and assigns to run a pipe line from said pipe tapping said spring across first parties' property hereinabove described, for the purpose of carrying water from said spring to second party's property, the same being situated in Skagit County, Washington, and adjoining the property of first parties.

IT IS UNDERSTOOD AND AGREED, That said pipe line shall be at a minimum depth of two feet. In connection with the establishment of this pipe line second party is hereby given the right (the same being a part and portion of this easement) to build, establish and maintain a small pump house to house an electric motor and pump for the pumping of water from the spring herein described, to second party's property.

Second party shall have the right to go upon first parties' property to repair, replace and inspect the well, pipe line and pump.

It is the intention of first and second parties that this easement shall make first parties' property servient to second party's property, which shall be the dominant tenement.

The easement herein granted shall be perpetual and, together with the water rights herein conveyed, shall be considered as appurtenant to second party's property.

IN WITNESS WHEREOF, First parties have hereunto set their hands and seals the day and year in this instrument first above written.

Alfred J. Vandenberg
Helena Vandenberg

STATE OF WASHINGTON
County of Skagit.

)
(ss
)

THIS IS TO CERTIFY, That on this 29 day of October,
A. D. 1935, before me, the undersigned, a Notary Public in and for
the State of Washington, duly commissioned and sworn, personally
appeared FLOYD J. VANDENBURG and HELEN VANDENBURG, husband and wife,
to me known to be the individuals described in and who executed
the within and foregoing DEED AND EASEMENT, and acknowledged to me
that they signed and sealed the same as their free and voluntary
act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this
certificate first above written.

David Hammer
Notary Public in and for the
State of Washington, residing
at Mount Vernon, said State.

857 50
to show all
ts affecting

HIGHWAY

11/11 WAP #57-201

3
2
1

712598 + 7A

STATE AF# 865741
DR# 11
75400
40'

(159)

